

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

CARL ROBERT SMITH, JR.,

Petitioner,

v.

Case No. 2:17-cv-284

Crim. No. 2:14-cr-176

Judge Michael H. Watson

Chief Magistrate Judge Elizabeth P. Deavers

UNITED STATES OF AMERICA,

Respondent.


**OPINION AND ORDER**

On June 11, 2018, the Magistrate Judge issued a Report and Recommendation ("R&R") recommending that the Motion to Vacate under 28 U.S.C. § 2255 be dismissed. ECF No. 132. Although the parties were advised of the right to file objections to the Magistrate Judge's R&R, and of the consequences of failing to do so, no objections have been filed.

The R&R, ECF No. 132, is **ADOPTED** and **AFFIRMED**. The Motion to Vacate under 28 U.S.C. § 2255, ECF No. 115, is hereby **DISMISSED**.

Petitioner has waived his right to file an appeal by failing to file objections. See *Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). The Court therefore **DECLINES** to issue a certificate of appealability.

**IT IS SO ORDERED.**

  
MICHAEL H. WATSON, JUDGE  
UNITED STATES DISTRICT COURT